

FACTSHEET

TITLE: **WAIVER OF DESIGN STANDARDS NO. 01019**, requested by DaNay Kalkowski on behalf of Ridge Development Company, to waive the required sidewalks in Chez Ami Knolls 6th Addition, located at 2341 Bretigne Drive and 6311 Andrew Court.

STAFF RECOMMENDATION: Approval, provided that if a sidewalk district is proposed in the future, the property owners will not object.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 11/14/01
Administrative Action: 11/14/01

RECOMMENDATION: Approval, provided that if a sidewalk district is proposed in the future, the property owners will not object (9-0: Krieser, Newman, Steward, Bills, Taylor, Duvall, Carlson, Hunter and Schwinn voting 'yes').

FINDINGS OF FACT:

1. The staff recommendation to approve this waiver request (provided that if a sidewalk district is proposed in the future, the property owners will not object), is based upon the following analysis:
 - A. This request is to waive the Subdivision Requirement for sidewalks (Sec. 26.23.095) for Chez Ami Knolls 6th Addition.
 - B. The administrative final plat was approved by the Director of Planning on May 17, 1989. The subdivider posted an agreement for Escrow of Security Fund for \$1,925.00 to guarantee the installation of sidewalks.
 - C. Currently, there are no sidewalks on Bretigne Drive and there are sidewalks for two houses on the west side of Andrew Court.
 - D. Chez Ami Knolls 6th Addition is composed of Lot 4, Chez Ami Knolls 4th Addition; Lot 3, Block 5, Chez Ami Knolls 2nd Addition; Outlot "C", The Ridge Addition; and Outlot "A", The Ridge 1st Addition.
 - E. Ordinance #10326 adopted December 27, 1971, approved the deletion of sidewalks for Chez Ami Knolls Second Addition.
 - F. Public Works Department does not object to the waiver of sidewalks.
2. This application was placed on the Consent Agenda of the Planning Commission on November 14, 2001, and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: November 19, 2001

REVIEWED BY: _____

DATE: November 19, 2001

REFERENCE NUMBER: FS\CC\FSW01019

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Waiver of Design Standards # 01019 **DATE:** 10-25-01

PROPOSAL: Waive required sidewalks for Chez Ami Knolls 6th Addition.

CONCLUSION: There are no sidewalks throughout most of the Knolls subdivision and sidewalk system surrounding the requested waivers. 10

<u>RECOMMENDATION:</u>	Approval provided that if a sidewalk district is proposed in the future, the property owners will not oppose the creation of that district.
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 1, Block 1 and Lot 1, Block 2 Chez Ami Knolls 6th Addition, located in the NE1/4, S13, T9N, R6E, Lancaster County, Nebraska.

LOCATION: 2341 Bretigne Dr. and 6311 Andrew Ct.

APPLICANT: Ridge Development Company
2001 Pine Lake Road, Suite 100
Lincoln, NE 68512

CONTACT: DaNay Kalkowski
Seacrest & Kalkowski, P.C.
1111 Lincoln Mall, Suite 350
Lincoln, NE 68508

EXISTING ZONING: R-1 Residential

EXISTING LAND USE: Residential

SURROUNDING LAND USE AND ZONING:

North: R-1, Residential
South: R-1, Residential
East: R-1, Residential
West: R-1, Residential

HISTORY: Chez Ami Knolls 6th Addition was originally platted as Chez Ami Knolls Addition. The installation of sidewalks was waived for Chez Ami Knolls 2nd Addition. 2

There are no sidewalks throughout most of the Knolls subdivision.

Chez Ami Knolls 6th Addition Administrative Final Plat was approved on May 17, 1989.

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan specifies this area as Urban Residential.

TRAFFIC ANALYSIS: Andrew Court and Bretigne Drive are local streets.

ANALYSIS:

1. This request is to waive the Subdivision Requirement for sidewalks (Sec. 26.23.095) for Chez Ami Knolls 6th Addition.
2. This Administrative final Plat was approved by the Director of Planning on May 17, 1989. The subdivider posted an agreement for Escrow of Security Fund for \$1,925.00 to guarantee the installation of sidewalks.
3. Currently, there are no sidewalks on Bretigne Drive and there are sidewalks for two houses on the west side of Andrew Court.
4. Chez Ami Knolls 6th Addition is composed of Lot 4 Chez Ami Knolls 4th Addition, Lot 3, Block 5 Chez Ami Knolls 2nd Addition, Outlot "C" The Ridge Addition and Outlot "A" The Ridge 1st Addition.
5. Ordinance #10326 adopted December 27, 1971 approved the deletion of sidewalks for Chez Ami Knolls Second Addition.
6. Public Works Department does not object to the waiver of sidewalks.

Prepared by:

Tom Cajka
Planner

WAIVER OF DESIGN STANDARDS NO. 01019

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

November 14, 2001

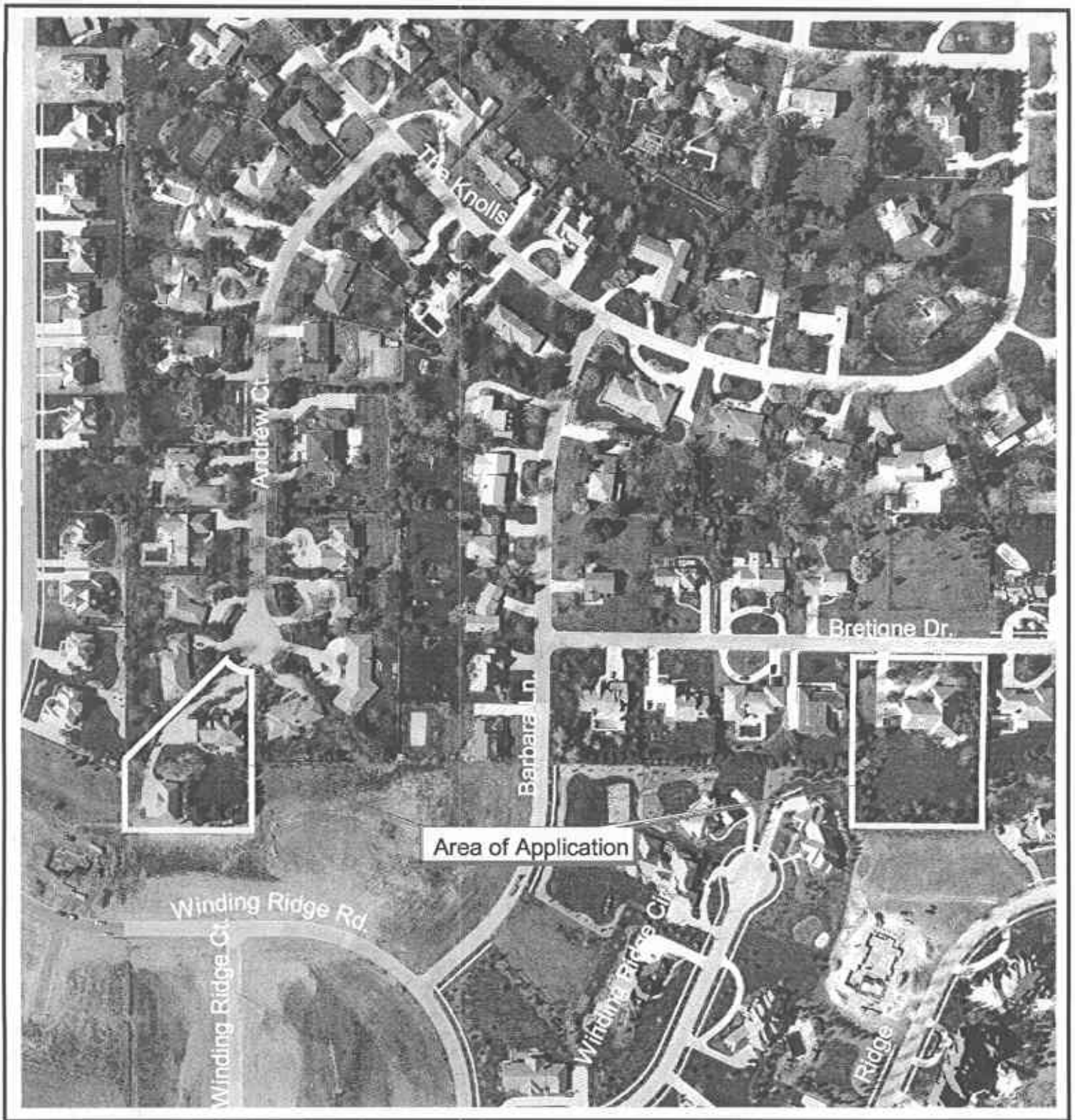
Members present: Bills, Carlson, Duvall, Hunter, Krieser, Newman, Schwinn, Steward and Taylor.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3344; CHANGE OF ZONE NO. 3345; SPECIAL PERMIT NO. 1942; SPECIAL PERMIT NO. 1944; FINAL PLAT NO. 00035, FINIGAN RIDGE ADDITION; FINAL PLAT NO. 01012, WILMER'S 2ND ADDITION; FINAL PLAT NO. 01020, NORTH CREEK BUSINESS PARK ADDITION; COUNTY FINAL PLAT NO. 01029, POST ROCK PINES; STREET AND ALLEY VACATION NO. 01020; WAIVER OF DESIGN STANDARDS NO. 01019; and MISCELLANEOUS NO. 01011.**

Item No. 1.2, Change of Zone No. 3345; Item No. 1.4, Special Permit No. 1944; and Item No. 1.11, Miscellaneous No. 01011 were removed from the Consent Agenda and scheduled for separate public hearing.

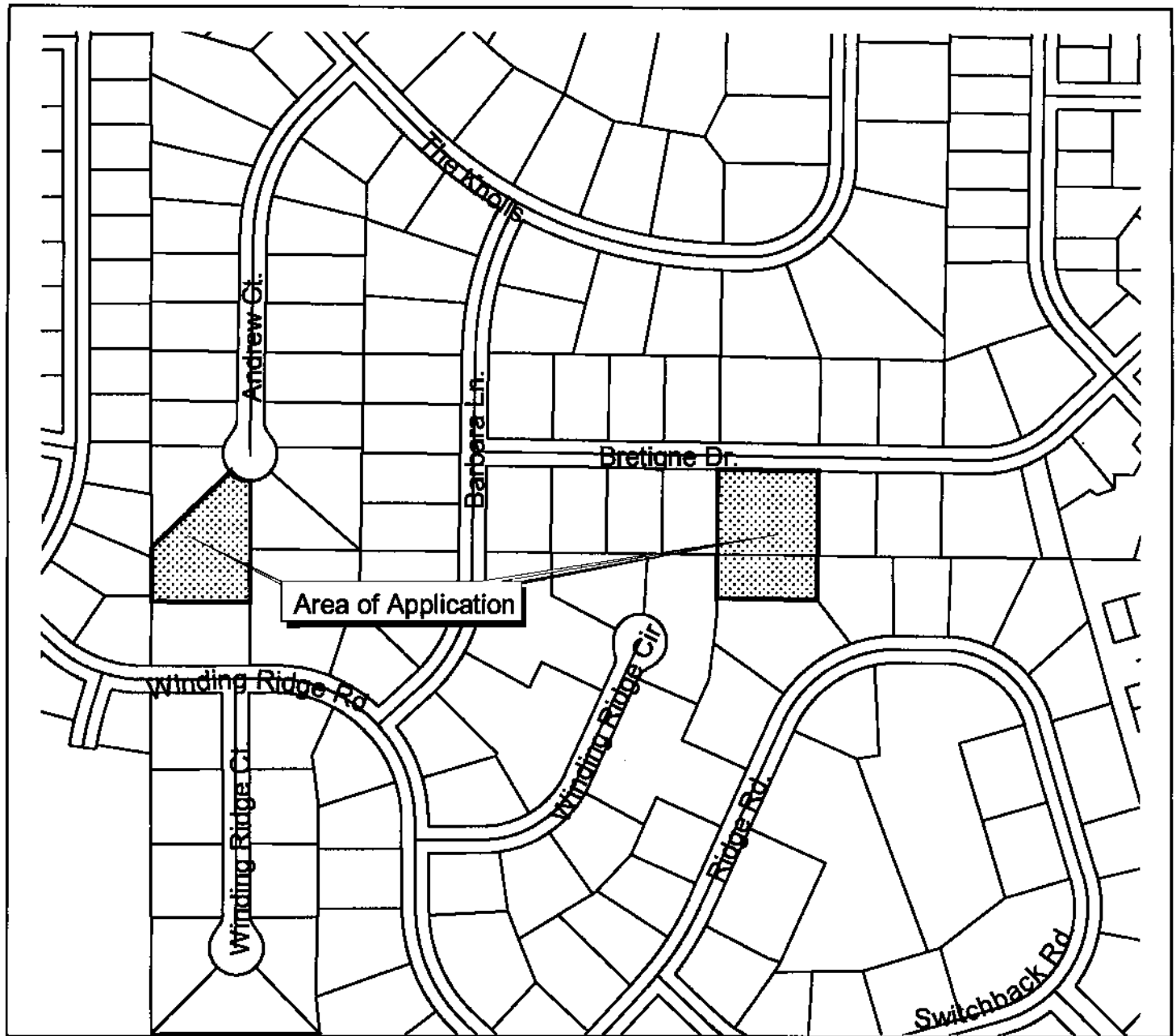
Newman moved to approve the remaining Consent Agenda, seconded by Steward and carried 9-0: Bills, Carlson, Duvall, Hunter, Krieser, Newman, Schwinn, Steward and Taylor voting 'yes'.

Note: This is final action on Special Permit No. 1944; Finigan Ridge Addition Final Plat No. 00035; Wilmer's 2nd Addition Final Plat No. 01012; and North Creek Business Park Addition Final Plat No. 01020, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by Planning Commission.



Waiver of Design Standards #01019
Chez Ami Knolls 6th Add
Barbara Ln and Bretigne Dr.



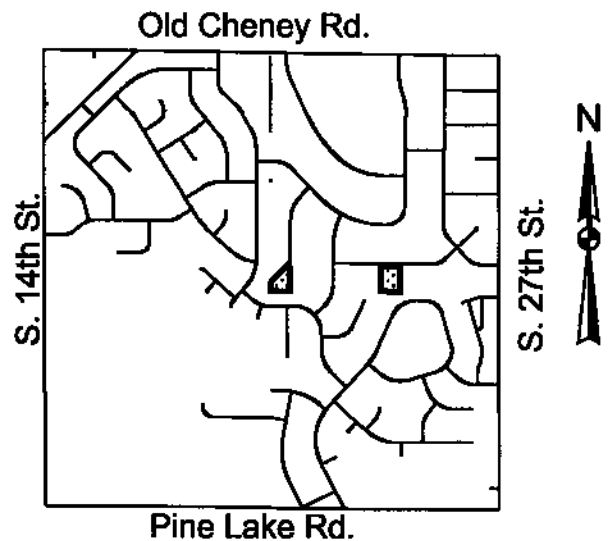
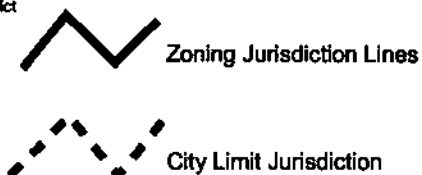


Waiver of Design Standards #01019
Chez Ami Knolls 6th Add
Barbara Ln and Bretigne Dr.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 13 T9N R6E



006

10-25-01
 Lincoln City - Lancaster County Planning Dept.

M e m o r a n d u m

FILED
OCT 16 2001
CITY OF CHICAGO
CLERK

To: Tom Cajka, Planning Department

From: Harry B. Kroos, Public Works & Utilities *H. Kroos*

Subject: Request for waiver sidewalks, Chez Ami Knolls 6th Addition

Date: October 15, 2001

cc:

The Sidewalk Section has reviewed the requested sidewalk waiver. We do not object to the waiver with the condition that the property owner will construct the sidewalk if it is ordered constructed through City Council action.

M e m o r a n d u m

RECEIVED
OCT 12 2001
COUNTY ENGINEER
PLANNING

To: Tom Cajka, Planning Department

From: Charles W. Baker, Public Works and Utilities *Bob*

Subject: Waiver of Design Standards # 01019

Date: October 11, 2001

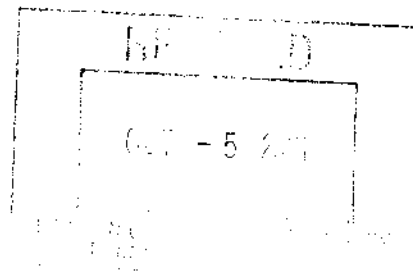
cc: Roger Figard
Nicole Fleck-Tooze
Harry Kroos

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the request for Waiver of Design Standards to remove the requirement of the sidewalks for the two lots at Chez Ami Knolls 6th Addition. Public Works has no objection to the approval of this request provided if a sidewalk district is proposed in the future, the property owners will not oppose the creation of that district.

SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100
E-MAIL: sk@sklaw.inetnebr.com



KENT SEACREST
DANAY KALKOWSKI

October 4, 2001

HAND DELIVERY

Kathleen Sellman
Planning Director
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: Chez Ami Knolls 6th Addition Sidewalk Waiver Request

Dear Kathleen:

On behalf of Ridge Development Company, we are hereby requesting a waiver of the design standards for sidewalks adjacent to the public streets for the two lots included within the Chez Ami Knolls 6th Addition. Chez Ami Knolls 6th Addition was platted back in 1989. The administrative final plat incorporated two already existing lots from earlier Chez Ami Knolls Additions and added additional property from The Ridge Addition to the backyards of the lots. Sidewalk escrows were required for the lots as part of the administrative platting requirements.

We are requesting a waiver of the design standards to remove the sidewalks on the two lots included in Chez Ami Knolls 6th Addition. There currently is no sidewalk system surrounding these lots or throughout most of the Knolls subdivision. If sidewalks were built on these two lots, they would have no connection to any adjacent sidewalks and would essentially serve no purpose.

If you have any questions regarding the request, please give me a call.

Very truly yours,


DANAY KALKOWSKI
For the Firm

cc: Nina Vejnovich
Tom White